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Conseco Insurance Company

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION **E-FILED - 3/9/07**

In re CONSECO INSURANCE CO. ANNUITY
MARKETING & SALES PRACTICES LITIG.

Master File No. C-05-04726-RMW
And Related Cases

This Document Relates To:

ALL ACTIONS.

**STIPULATION AND [PROPOSED]
ORDER RE AMENDED COMPLAINT
AND CLASS CERTIFICATION BRIEFING
SCHEDULE**

1 The Parties hereto, through their respective attorneys of record, stipulate and request the
2 Court to enter an order setting the following schedule:

3 No responsive pleading is due to Plaintiffs' First Amended Complaint;

4 Plaintiffs' Second Amended Complaint due: March 29, 2007;

5 Defendant's Motion to Dismiss Plaintiffs' Second Amended Complaint due: May 14, 2007;

6 Plaintiffs' Motion for Class Certification: Date changed from April 12, 2007 to 90 days after
7 the Court issues its ruling on Defendant's Motion to Dismiss;

8 Defendant's Opposition to Plaintiffs' Motion for Class Certification due: 30 days after
9 plaintiffs' motion is filed; and

10 Plaintiffs' Reply in Support of Class Certification Motion due: 21 days after defendants'
11 opposition is filed.

12 Good cause exist for this request because plaintiffs' counsel need additional time to review
13 and research the issues raised in the Court's order dated February 12, 2007 granting in part and
14 denying in part defendant's Motion to Dismiss and to frame an appropriate complaint, and it would
15 be more efficient to defer the hearing on plaintiffs' motion for class certification until after the case
16 is at issue.

17
18 DATED: February 16, 2007.

19
20 **BAKER & MCKENZIE LLP**
21 **REED SMITH LLP**

22 By /s/ Linda B. Oliver
23 Linda B. Oliver
24 Attorneys for Defendant Conseco Insurance
25 Company
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27
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1 DATED: February 16, 2007.

2 **BARRACK, RODOS & BACINE**

3
4 By /s/ John L. Haeussler
5 John L. Haeussler, Co-Lead Counsel for Plaintiffs

6 DATED: February 16, 2007.

7
8 **LERACH COUGHLIN STOIA GELLER**
9 **RUDMAN & ROBBINS LLP**

10 By /s/ John J. Stoia, Jr.
11 John J. Stoia, Jr., Co-Lead Counsel for Plaintiffs

12 IT IS SO ORDERED. The Case Management Conference Order is adjusted in accordance
13 with the above stipulation.

14
15 DATED: 3/9/07.

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18 Ronald M. Whyte, United States District Judge

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